

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

JOHN WATKINS ELLIOTT,	)	
	)	
Petitioner,	)	
	)	
v.	)	1:14CV887
	)	1:09CR231-1
UNITED STATES OF AMERICA,	)	
	)	
Respondent.	)	

ORDER

On November 17, 2014, the United States Magistrate Judge's Recommendation was filed and notice was served on the parties pursuant to 28 U.S.C. § 636. No objections were filed within the time limits prescribed by Section 636. Therefore, the Court need not make a *de novo* review and the Magistrate Judge's Recommendation [Doc. #21] is hereby adopted.

IT IS THEREFORE ORDERED that Petitioner's Motion to Vacate, Set Aside or Correct Sentence under § 2255 [Doc. #19] is GRANTED, that the Judgment [Doc. #17] is VACATED, the Indictment [Doc. #1] is DISMISSED, and Petitioner's supervised release is TERMINATED.

This the 4<sup>th</sup> day of December, 2015.

/s/ N. Carlton Tilley, Jr.  
Senior United States District Judge